

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone message left for the Examiner by Richard A. Machonkin on May 11, 2011.

**Claim 15.** (Currently Amended) A method of operating a jackpot wagering system, comprising the steps of:

~~a gaming server~~ providing via a gaming server a game of chance for a plurality of players, wherein a player places a wager on a turn of the game of chance and obtains an outcome based on a random event generated by the gaming server, the outcome being one of at least a favorable outcome in which the player wins the contents of an accumulation account, an intermediate outcome in which the player wins the wager at fixed odds, and an unfavorable outcome in which the player forfeits the wager;

~~an accumulation facility, in communication with the gaming server via a communication network~~ accumulating, via an accumulation facility, a portion of each wager in the accumulation account, wherein the accumulation facility is in communication with the gaming server via a communication network;

~~a lottery server, in communication with the gaming server via the communication network~~, defining, via a lottery server, a time interval for a lottery associated with the

game of chance, wherein the lottery server is in communication with the gaming server via the communication network;

during the defined time interval, ~~the lottery server~~ rewarding, via the lottery server, each player participating in the game of chance who qualifies for enrollment with at least one enrollment in the lottery;

~~the lottery server~~ determining, via the lottery server, whether the favorable outcome of the game of chance occurs during the defined time interval, wherein the lottery server is programmed to (i) if the favorable outcome of the game of chance occurs during the defined time interval, cancel the lottery and void all enrollments in the lottery and (ii) if the favorable outcome of the game of chance does not occur during the defined time interval, randomly select one of the enrollments in the lottery and award the contents of the accumulation account to the player with the selected enrollment as winner of the lottery.

**Claim 16.** (Currently Amended) The method of claim 15, wherein ~~the lottery server~~ rewarding, via the lottery server, each player participating in the game of chance who qualifies for enrollment with at least one enrollment in the lottery comprises: ~~the lottery server~~ rewarding, via the lottery server, a player participating in the game of chance with multiple enrollments in the lottery in proportion to the player's participation in the game of chance.

**Claim 17.** (Currently Amended) The method of claim 15, wherein ~~the lottery server~~ rewarding, via the lottery server, each player participating in the game of chance who qualifies for enrollment with at least one enrollment in the lottery comprises: ~~the lottery server~~ rewarding, via the lottery server, a player participating in the game of chance with one enrollment for every 10 turns of the game of chance on which the player has placed a wager.

**Claim 18.** (Currently Amended) The method of claim 15, wherein ~~the lottery server~~ rewarding, via the lottery server, each player participating in the game of chance who qualifies for enrollment with at least one enrollment in the lottery comprises: ~~the lottery server~~ rewarding, via the lottery server, a player participating in the game of chance with one enrollment for every 15 turns of the game of chance on which the player has placed a wager.

2. The following is an examiner's statement of reasons for allowance:

the specific limitations of (with respect to **Claim 15**) "wherein the lottery server is programmed to (i) if the favorable outcome occurs during the defined time interval...void all enrollments in the lottery", and (with respect to **Claim 23**) "if the favorable outcome of the game of chance occurs during a defined time interval...void all enrollments in the lottery..." are not anticipated or made obvious over the prior art of record in the examiners opinion. *Jordan* discloses a system and method for providing a progressive bonus to eligible devices in a set of linked gaming machines, including wherein a bonus

indicator is randomly selected from only those bonus indicators which correspond to selected bonus symbols, and where a bonus award is issued at all gaming machines which have selected a bonus symbol which corresponds to the bonus indicator. *Jordan* teaches away from voiding enrollments when the favorable outcome has occurred, by its statement that "the selected bonus symbols will be retained for any subsequent bonus award periods" (col. 5, lines 30-35). *Torango* only teaches a progressive prize award wherein if random play has not created a prize by a certain time then the system randomly selects one or more of the current participants as a winner, and is silent in regard to voiding enrollments.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Mike Grant whose telephone number is 571-270-1545. The Examiner can normally be reached on Monday through Friday between 8:00 a.m. and 5:00 p.m., except on the first Friday of each bi-week.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisory Primary Examiner, Dmitri Suhol can be reached at 571-272-4430. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MCG/

/Dmitry Suhol/

Supervisory Patent Examiner, Art Unit 3716